

1 Michael A. Barcott, SBA #73681
2 HOLMES WEDDLE & BARCOTT, P.C.
3 3101 Avenue, Suite 500
4 Seattle, Washington 98121
Telephone: (206) 292-8008
Facsimile: (206) 340-0289
Email: mbarcott@hwb-law.com

5 Attorneys for Limitation Plaintiff
6
7
8
9
10

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 IN THE MATTER OF THE COMPLAINT) Case No. 4:20-cv-01384-HSG
12 OF ROBERT E. KELLEY AND RICHARD)
13 E. KELLEY, SUCCESSOR CO-TRUSTEES) **RULE 9 (h), IN ADMIRALTY**
14 AND BENEFICIARIES OF THE EUGENE)
15 M. KELLEY AND Verna L. KELLEY) **JOINT MOTION FOR LIFT OF STAY**
16 REVOCABLE LIVING TRUST, AS) **AND A STATUS CONFERENCE and**
17 OWNERS AND/OR OPERATORS OF THE) **ORDER GRANTING THE MOTION**
18 VESSEL F/V MISS HAILEE, OFFICIAL)
NUMBER 524780, FOR EXONERATION)
FROM AND/OR LIMITATION OF)
LIABILITY)

)

19 Plaintiffs-in-Limitation Robert E. Kelley and Richard E. Kelley, successor co-trustees
20 and beneficiaries of the Eugene M. Kelley and Verna L. Kelley Revocable Living Trust
21 (“Plaintiffs-in-Limitation”) and the sole claimant Gilberto Santiago Otanez, Personal
22 Representative of the Estate of Arnulfo Santiago Solis (“Claimant”) hereby jointly request that
23 the stay in this matter, entered on August 28, 2020 [Docket 32] be lifted, and the matter be
24 scheduled for a Status Conference in front of the Honorable Haywood S. Gilliam, Jr. on June 1,
25 2021 or June 22, 2021. This case was stayed, so that the Claimant’s lawsuit, 4:20-cv-04424
26 SBA, could proceed on the issues of liability and damages. The parties reached settlement in
27
28

JOINT MOTION FOR LIFT OF STAY AND TO
SCHEDULE A STATUS CONFERENCE;
ORDER - 1
Case No. 4:20-cv-01384-HSG

HOLMES WEDDLE & BARCOTT, PC
3101 WESTERN AVENUE, SUITE 500
SEATTLE, WA 98121
TELEPHONE (206) 292-8008
FAX (206) 340-0289

1 that case and, therefore, are seeking to lift the stay in this matter so that Plaintiffs-In-Limitation
2 can move for default judgment, and take any other steps necessary for the case dismissal.

3 Respectfully Submitted this 18th day of May, 2021.

4 HOLMES WEDDLE & BARCOTT, P.C.
5

6 */s/ Michael A. Barcott*
7 Michael A. Barcott, SBA #73681
8 3101 Western Avenue, Suite 500
9 Seattle, Washington 98121
Telephone: (206) 292-8008
Facsimile: (206) 340-0289
Email: mbarcott@hwb-law.com
10 Attorney for Limitation Plaintiffs

11 ANDERSON CAREY WILLIAMS &
12 NEIDZWSKI
13

14 */s/ Nicholas Neidzwski*
Nicholas Neidzwski, CSB #273020
15 21 Bellwether Way, Suite 104
16 Bellingham, WA 98225
17 Telephone: 360-671-6711
Fax: 360-647-2943
18 E-mail: nick@boatlaw.com
19 Attorneys for Claimant/Respondent
20 GILBERTO SANTIAGO OTANEZ,
Personal Representative of the Estate of
ARNULFO SANTIAGO SOLIS
21
22
23
24
25
26
27
28

JOINT MOTION FOR LIFT OF STAY AND TO
SCHEDULE A STATUS CONFERENCE;
ORDER - 2
Case No. 4:20-cv-01384-HSG

HOLMES WEDDLE & BARCOTT, PC
3101 WESTERN AVENUE, SUITE 500
SEATTLE, WA 98121
TELEPHONE (206) 292-8008
FAX (206) 340-0289

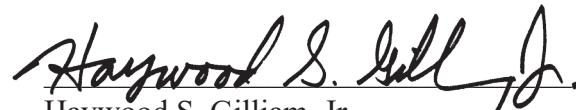
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER LIFTING THE STAY
AND SCHEDULING STATUS CONFERENCE

This matter came before this Honorable Court on the Joint Motion by the Plaintiffs-In-Limitation and the Claimant requesting to lift the stay [Docket 32] and to schedule a Status Conference. Having reviewed the Joint Motion, it is ORDERED:

1. The Stay in effect as of August 20, 2020 [Docket 32] is LIFTED;
2. The Status Conference shall be scheduled on 6/1/2021 at 2:00 p.m.

DATED this 19th day of May 19, 2021.



Haywood S. Gilliam, Jr.
United States District Court Judge